



"The mission of Maricopa County is to provide regional leadership and fiscally responsible, necessary public services to its residents so they can enjoy living in healthy and safe communities"

Board Members

Max Wilson, District 4, Chairman
Fulton Brock, District 1
Don Stapley, District 2
Andrew Kunasek, District 3
Mary Rose Wilcox, District 5

County Manager

David Smith

Clerk of the Board

Fran McCarroll

Meeting Location

Supervisors' Auditorium
205 W. Jefferson
Phoenix, AZ 85003

FORMAL MEETING MINUTES

BOARD OF SUPERVISORS Maricopa County, Arizona

(and the Boards of Directors of the Flood Control District, Library District,
Stadium District, Improvement Districts and/or Board of Deposit)

**Wednesday, August 06, 2008
9:00 AM**

1. INVOCATION

Fran McCarroll, Clerk of the Board, delivered the invocation.

2. PLEDGE OF ALLEGIANCE

Martin Camacho, County Manager's Office, led the assemblage in the Pledge.

3. ROLL CALL

The Board of Supervisors of Maricopa County Arizona convened in Formal Session at 9:00 AM on Wednesday, August 06, 2008, in the Supervisors Auditorium with the following members present: Max Wilson, Chairman, District 4; Fulton Brock, District 1; Don Stapley, District 2; Andrew Kunasek, District 3; Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager; and Victoria Mangiapane, Deputy County Attorney.

BOARD OF SUPERVISORS

4. Pet Showcase by Maricopa County Animal Care and Control.

Aprille Hollis introduced Jake, a Lab mix two-month-old puppy from Animal Care and Control. She reported that Jake is as frisky as all puppies when he's not being held but quiets down into a very mellow-fellow when you pick him up. Jake can be adopted today for the special summer cost of only \$85 instead of the normal cost of \$150. This cost includes shots and neutering. Call 602-506-7387 for more information on adopting Jake.

STATUTORY HEARINGS

Clerk of the Board

5. LIQUOR LICENSE APPLICATIONS

Pursuant to A.R.S. §4-201, this is the time scheduled for a public hearing on the applications for liquor licenses. At this hearing, the Board of Supervisors will determine the recommendation to the State Liquor Board as to whether the State Liquor Board should grant or deny the license.

a. NEW CHINA SUPER BUFFET NEW SERIES LIQUOR LICENSE APPLICATION

Approve an application filed by Biao Lu for a new Series 12 liquor license for New China Super Buffet, located at 10801 W. Grand Avenue, Sun City, AZ 85351, MCLL #6273; AZ #12-077639. (C-06-09-004-L-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley
Ayes: Kunasek, Stapley, Wilcox, Wilson
Nays: Brock

b. OUR LADY OF LOURDES PARISH SPECIAL EVENT LIQUOR LICENSE APPLICATIONS

Approve five Special Event Liquor License Applications for Carl A. Brashaw; Our Lady of Lourdes Parish Men's Club, located at 14818 W. Deer Valley Drive, Sun City West, AZ 85375, all at 5:00 to 8:00 p.m. on the following dates and SELL numbers: September 8, 2008;SELL #839, October 7, 2008;SELL #840, November 4, 2008;SELL #841, December 2, 2008;SELL #842, February 3, 2009;SELL #843 (C-06-09-007-L-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley
Ayes: Kunasek, Stapley, Wilcox, Wilson
Nays: Brock

AGENCY ITEMS AND STATUTORY MATTERS

COUNTY OFFICERS

Sheriff

6. TERMINATION OF THE LAW ENFORCEMENT SERVICES CONTRACT WITH THE TOWN OF GUADALUPE

Approve the request of the Sheriff's Office to terminate the contract for Law Enforcement Services with the Town of Guadalupe originally approved by the Board on August 22, 2007 (C-50-08-005-2-00). The Sheriff will send the final notification for the 180-day written notice to the Town with the Clerk's certification of this item. Also, approve per A.R.S. 42-17106 the following changes: reduce the Sheriff's Office FY 2009 general fund (100) revenue appropriation by (\$495,500), (\$1,205,046) annualized, and the Sheriff's Office FY 2009 general fund (100) expenditure appropriation by (\$398,475), (\$975,772) annualized.

Termination of this contract begins 180 days following the delivery of the written notice to the Town, and the anticipated termination is midnight, February 2, 2009. (C-50-08-005-2-01)

RoseMary Arellano, Guadalupe Town Manager, said the town has long enjoyed a good relationship with the Sheriff's Office deputies and asked the Board to continue this item to the middle of September to give the town additional time to explore options for solving issues that have arisen.

Chairman Kunasek said he had met with Guadalupe town officials and also with Supervisor Wilcox and understood that the goal is to reconcile recent differences with the Sheriff's Office. Chairman Kunasek exercised Chairman's prerogative to continue this item to the September 17, 2008, formal Board meeting.

TRIAL COURTS

Superior Court Judges and Commissioners

7. APPOINTMENT OF COURT COMMISSIONER AS SUPERIOR COURT JUDGE PRO TEMPORE AND PRO TEMPORE JUSTICE OF THE PEACE

Pursuant to A.R.S. § 12-141 and §22-121, appoint Court Commissioner Thomas A. Kaipio as Superior Court Judge Pro Tempore and Pro Tempore Justice of the Peace, for the period from July 1, 2008 through June 30, 2009, to serve in the various programs in the Superior and Justice Courts to reduce trial delay. (C-38-09-001-9-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

COUNTY MANAGER

Crime Prevention - Meth Program

8. DONATION FOR THE AZ METH PROJECT

Accept the donation of \$5,000 from Walgreens Health Initiatives for the AZ METH PROJECT. This action will require an appropriation adjustment to General Fund (100) Appropriated Fund Balance (470) Other Programs (4712) line item titled "Meth Project," increasing the FY2008-09 revenue and expenditure budgets by \$5,000. Donation revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditure of these revenues is not prohibited by the law. (C-42-09-002-D-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

Public Fiduciary

9. TRANSFER EXPENDITURE AUTHORITY FOR COMPUTRUST TECHNOLOGY UPGRADE

Pursuant to A.R.S. §42-17106B, authorize the transfer of expenditure authority in the amount of \$37,640 from Non-Departmental (470) General Fund (100) Non-Recurring (0001) Contingency to Public Fiduciary (340) General Fund (100) Non-Recurring (0001). The purpose of the transfer is to complete the technology upgrade that began in FY2007-08. Pending approval, the technology upgrade will be completed in FY2008-09. Approval of this action will require an appropriation adjustment **increasing** the Public Fiduciary (340) General Fund (100) budget by \$37,640, and **decreasing** the Non-Departmental (470) General Fund (100) budget by \$37,640. This action will have a net zero impact on the overall County budget

Following approval of Agenda Item C-34-07-001-8-00 on April 4, 2007, the Public Fiduciary began an information technology upgrade, including new software and related hardware based upon the recommendation of the Office of Enterprise Technology. Unable to complete the project in FY 2007-08, pending approval, the remainder of the project will be completed in FY2008-09. The project consists of integrating timekeeping, case management and document management systems with Computrust financial accounting and inventory management system. (C-34-09-001-2-00)

Motion to Approve by: Supervisor Brock, Seconded by: Supervisor Wilson
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

DEPUTY COUNTY MANAGER

Management and Budget

10. TRANSFER EXPENDITURE APPROPRIATION FOR HART V. HILL

Pursuant to A.R.S. §42-17106(b), transfer expenditure appropriation of \$400,000 from the Non-Departmental (470) General Fund (100) Non-Recurring (0001) Contingency line to a new line in Non-Departmental (470) General Fund (100) Non-Recurring (0001) Contingency entitled, "Hart v. Hill".

\$400,000 is being set aside for additional legal costs associated with complying with the Court's upcoming hearing requirements in Hart v. Hill regarding the treatment of presentenced inmates in County detention facilities. (C-49-09-013-2-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

11. TRANSFER EXPENDITURE APPROPRIATION FOR RESERVE FOR REVENUE SHORTFALL

Pursuant to A.R.S. §42-17106(b), transfer expenditure appropriation of \$5,600,000 from County Attorney Civil (280) General Fund (100) Operating (0000) to a new line in Non-Departmental (470) General Fund (100) Operating (0000) Contingency entitled, "Reserve for Revenue Shortfall".

Budgeted expenditures for Outside Counsel and Tax Appeals restated from Non-Departmental to the new County Attorney Civil Department in FY 2008-09 was mistakenly included twice. To correct the overfunding of County Attorney Civil, this item moves \$5,600,000 to a reserve for a potential shortfall in budgeted General Fund revenue. (C-49-09-015-2-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

Public Health

12. TERMINATION OF PFIZER PHARMACEUTICALS' SHARE THE CARE PRODUCT REPLENISHMENT AGREEMENT

Approve termination of the 2005 Pfizer Pharmaceuticals' Share the Care Product Replenishment Agreement, between Pfizer Inc. ("Pfizer") Share the Care, and Maricopa County, through the Department of Public Health's Healthcare for the Homeless Program. The agreement is terminated effective December 31, 2007. This agreement provided donated pharmaceutical products for the Healthcare for the Homeless program. No appropriation adjustments are required at this time.

Amount of recoverable indirect cost is not applicable, since funding amount for donations has not been determined by Pfizer. This agreement termination will be followed up with a new Product Replenishment Agreement for donated pharmaceutical products provided by Pfizer Sharing the Care Patient Assistance Foundation to the Healthcare for the Homeless program. (C-86-05-554-0-02)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

13. IGA WITH ADHS FOR GRANT FUNDS FOR TUBERCULOSIS CONTROL PROGRAM

Approve an Intergovernmental Agreement (IGA) (HG854521) between Arizona Department of Health Services (ADHS) and Maricopa County through the Department of Public Health to provide grant funding for the Tuberculosis Control Program. This IGA term is from July 1, 2008 through June 30, 2013. The budget period is July 1, 2008 through June 30, 2009 for the amount of not-to-exceed \$622,594.

The Department of Public Health's indirect rate for FY 2008-09 is 18%. Grant indirect expenses are fully recoverable and are estimated at \$94,972. Funds for this IGA are provided by ADHS and do not increase the County's general fund. (C-86-09-008-G-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

14. IGA WITH ARIZONA BOARD OF REGENTS FOR EPIDEMIOLOGY LEARNING OPPORTUNITIES

Approve an Intergovernmental Agreement (IGA) between the Arizona Board of Regents for and on behalf of the University of Arizona (UofA) and Maricopa County through the Department of Public Health (MCDPH), in the not-to-exceed amount of \$63,000. The purpose of this Intergovernmental Agreement is to provide UofA public health and epidemiology students with experimental learning opportunities within MCDPH. This Intergovernmental Agreement is effective from August 1, 2008 until July 31, 2009.

This IGA is exempt from procurement procedures pursuant to Section MC1-1003 of the Maricopa County Procurement Code. This IGA allows public health and epidemiology students from the UofA to perform duties within MCDPH's Epidemiology and General Disease Surveillance. Such duties will include epidemiology investigations and evaluation of epidemiological data. (C-86-09-017-3-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

15. DONATION OF FUNDS FROM THE VOLUNTEER CENTER OF MARICOPA COUNTY

Approve the donation of funds in the amount of \$6,000 from The Volunteer Center of Maricopa County to Maricopa County through the Department of Public Health. This grant-like donation of funds is made to the Department of Public Health's Emergency Management Program (PHEM). Also, approve revenue and expenditure appropriation adjustments to the Public Health Grant Fund (Department 860, Fund 532) associated with the aforementioned grant in an amount of \$6,000. The appropriations adjustment is necessary because these funds are additional and were not included in the FY 2008-09 budget. Donation of funds revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.

The Department of Public Health's indirect rate for FY 2008-09 is 18%. Indirect cost reimbursement in the amount of \$915 is fully recoverable. Donation funds are "non-local" revenue for purposes of the constitutional expenditure limitation. Therefore, the budget law does not prohibit expenditure of funds. This donation does not alter the budget constraining the expenditure of local revenues that was duly adopted by the Board of Supervisors pursuant to A.R.S. §42-17105. Funds are made available from The Volunteer Center and do not effect the County's general fund. (C-86-09-016-D-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

16. PRODUCT REPLENISHMENT AGREEMENT WITH PFIZER PATIENT ASSISTANCE FOUNDATION

Approve a Product Replenishment Agreement between the Pfizer Patient Assistance Foundation through the Sharing the Care Product Replenishment Program (Pfizer), and Maricopa County through the Department of Public Health to provide in-kind donations in the form of pharmaceutical products for the Healthcare for the Homeless Program. The term for this Agreement begins January 1, 2008 through January 1, 2009, automatically renewable for one-year terms thereafter. No appropriation adjustments are required at this time.

Amount of recoverable indirect cost is not applicable, since reimbursements will be made through in-kind donations and are not subject to indirect cost reimbursement. This grant-like item is awarded in-kind and the value of which will be booked as a revenue and expenditure in the Finance System. An agenda item will be submitted at the end of FY 2008-09 requesting Board approval for acceptance of pharmaceutical in-kind donations from Pfizer. (C-86-09-018-3-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

17. AGREEMENT WITH WASHINGTON ELEMENTARY SCHOOL DISTRICT FOR DIETETIC INTERSHIP

Approve the Affiliation Agreement between the Washington Elementary School District and Maricopa County through its Department of Public Health to provide clinical nutrition training experience for graduate students in the dietetic internship. This Affiliation Agreement is non-financial, and the term is from July 1, 2008 through June 30, 2013.

As a part of its established accredited dietetic internship program, the Department of Public Health seeks to provide its dietetic interns with a broad and diverse practicum experience. This agreement with the Washington Elementary School District would allow dietetic interns to receive approved dietetic student and practicum experience in clinical nutrition. Supervised by WESD registered dietitians at WESD facilities, interns would continue to be responsible to Public Health. This agreement is non-financial, and does not affect the County general fund. (C-86-09-020-3-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

18. AGREEMENT WITH NUTRITION ALLIANCE, LLC FOR DIETETIC INTERSHIP

Approve the Affiliation Agreement between the Nutrition Alliance, LLC and Maricopa County through the Department of Public Health to provide clinical nutrition training experience for graduate students in the dietetic internship. This Affiliation Agreement is non-financial, and the term is from July 1, 2008 through June 30, 2013.

As a part of its established accredited dietetic internship program, the Department of Public Health seeks to provide its dietetic interns with a broad and diverse practicum experience. This agreement with Nutrition Alliance, LLC would allow dietetic interns to receive approved dietetic student and practicum experience in clinical nutrition. Supervised by Nutrition Alliance registered dietitians at Nutrition Alliance facilities, interns would continue to be responsible to Public Health. This agreement is non-financial, and does not affect the County general fund. (C-86-09-019-3-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

19. AMENDMENT TO IGA WITH ADHS FOR WELL WOMAN HEALTH CHECK PROGRAM

Approve Amendment No. 2 to the Intergovernmental Agreement (IGA) (HG761266) between the Arizona Department of Health Services (ADHS) and Maricopa County through its Department of Public Health, to provide Well Woman Healthcheck Program services to uninsured or underinsured women for breast and cervical cancer screening and diagnostic services. The budget term is July 1, 2008 to June 30, 2009. This IGA does not specify a total dollar amount but provides for services in two line items for sub recipients to be authorized by Purchase Order. Based on prior year estimates, total costs are estimated at an amount not to exceed \$580,000. This IGA is amended as follows: Replace existing Price Sheet in Amendment One (1), Page Eleven (11) with corrected Price Sheet in Amendment Two (2), Page Two (2). This is to replace incorrect Price Sheet attached to Amendment One (1) in error. Revenue and expenditure appropriation adjustments for FY 2008-09 have already been approved by the Board under Amendment 1 on 4/23/08. All other terms and conditions of the original IGA shall remain in full force and in effect.

Funding for this contract is provided by a federal grant administered by the Arizona Department of Health Services (ADHS), and does not increase the County general fund. Reimbursement to subcontractors is on a per enrollee basis at rate established by ADHS. (C-86-08-001-3-04)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

20. REVISIONS TO BOARD OF HEALTH BYLAWS

Approve the revision to Board of Health Bylaws. The Maricopa County Board of Health (MCBOH) consists of eleven member appointed by the Board of Supervisors as provided for in Title 36, Chapter 1, Article 4 Arizona revised statute as amended. The Board of Health is responsible for recommending rules, regulations and ordinances for the protection and preservation of public health. The current Board of Health bylaws were approved by the Board of Supervisors on August 7, 1998, and most recently amended on July 25, 2001. In accordance with Article X of their current bylaws, the Maricopa County Board of Health recommends to the Board of Supervisors the following amendments to their bylaws be approved: Amend ARTICLE VI: OFFICERS Section 3: The term of the president and vice president - finance shall be for two years. Both officers may serve an additional one year term immediately following their initial two year term upon the approval of the Board. Individual members are limited to serving a three year maximum term as an officer during any four year term of appointment to the Board of Health.

The Board of Health bylaws were last revised and approved by the Board of Supervisors on July 25, 2001 under file number C-86-02-034-6-00. The Board of Health is requesting a revision to the bylaws to allow the board's officers to serve an additional one year term immediately following their initial two year term upon the approval of the Board. (C-86-09-021-M-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

ASSISTANT COUNTY MANAGER - COMMUNITY COLLABORATION

Animal Care & Control Services

21. ONE-TIME ADDITION TO FLEET

Approve a one-time addition to the County fleet of one truck (vehicle #32234) for retention of this vehicle for the care and transportation of animals. A detailed cross-reference list of vehicle identification numbers is kept on file with the Clerk of the Board. This vehicle is a one-time addition to fleet that will be retired at the end of its useful life with no funding from the General Fund for its replacement. Funding for maintenance and operation not-to-exceed \$800 has been set aside in the Department's FY 2009 budget. (C-79-09-009-V-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

Human Services

22. IGA WITH TOWN OF YOUNGTOWN FOR SPECIAL TRANSPORTATION SERVICES

Approve a(n) Intergovernmental Agreement between the Town of Youngtown and Maricopa County through the Human Services Department, in the not-to-exceed amount of \$9,500.00. The purpose of this Intergovernmental Agreement is to administer a special transportation services program for the elderly, low-income and disabled residents of the Town of Youngtown. This Intergovernmental Agreement is effective from July 1, 2008 until June 30, 2009. (C-22-09-078-3-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

23. IGA WITH CITY OF AVONDALE FOR SPECIAL TRANSPORTATION SERVICES

Approve an Intergovernmental Agreement between the City of Avondale and Maricopa County through the Human Services Department, in the not-to-exceed amount of \$20,000. The purpose of this Intergovernmental Agreement is to administer a special transportation services program. This Intergovernmental Agreement is effective from July 1, 2008 until June 30, 2009. (C-22-09-084-3-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

24. IGA WITH CITY OF SCOTTSDALE FOR COMPUTER LAB SERVICES

Approve an Intergovernmental Agreement between City of Scottsdale, (2008-080-COS) and Maricopa County through the Human Services Department, for the purpose of providing computer lab services for job seekers. This Intergovernmental Agreement is non-financial and is effective from July 1, 2008 until June 30, 2010. (C-22-09-085-3-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

25. AMENDMENT TO CONTRACT WITH COMTRANS, INC FOR SPECIAL TRANSPORTATION SERVICES

Approve Amendment No. 6 to a Contract between Comtrans, Inc. and Maricopa County through the Human Services Department in the not-to-exceed amount of \$250,000. The purpose of this amendment is to exercise option year three of three one-year options to renew and to increase funding. This amendment is effective from July 1, 2008 to June 30, 2009. All other terms and conditions of the contract remain in full force and effect. (C-22-06-141-1-06)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

26. AGREEMENT WITH CITY OF CHANDLER FOR TRANSPORTATION SERVICES (CDBG)

Approve an Intergovernmental Agreement between City of Chandler and Maricopa County through the Human Services Department, in the not-to-exceed amount of \$22,500. This Intergovernmental Agreement is funded by a grant from City of Chandler Community Development Block Grant, (n/a). The purpose of this Intergovernmental Agreement is to allow the Human Services Department to accept up to \$22,500 in exchange for transportation services to residents of the City of Chandler. This Intergovernmental Agreement is effective from July 1, 2008 until June 30, 2009. Indirect is recoverable under this grant at the Department's full calculated rate of 15.2%.

The City of Chandler has applied for funding from the U.S. Department of Housing and Urban Development under Title 1. The City has awarded Maricopa County Human Services Department \$22,500 to provide additional transportation services to the low-income, disabled or elderly residents of Chandler. (C-22-09-076-3-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

27. LETTER TO OFFICE OF HEAD START CONCERNING MARICOPA COUNTY HEAD START CORRECTIVE ACTIONS

Authorize the Chairman of the Board to sign a letter to the Administration for Children and Families, Office of Head Start (OHS) in response to two areas of non-compliance found during the December 2007 OHS Monitoring. This letter serves as formal notice that Maricopa County's Head Start Zero-Program, along with its Delegate Agency, has completed actions to correct the two areas of non-compliance that were outlined in the April 16, 2008 Overview of Findings Report from OHS. (C-22-09-090-M-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

CHIEF FINANCIAL OFFICER

Finance

28. FUNDS TRANSFERS; WARRANTS

Approve regular and routine fund transfers from the operating funds to clearing funds including payroll, journal entries, allocations, loans, and paid claims and authorize the issuance of the appropriate related warrants. Said warrants and claims are recorded on microfiche retained in the Department of Finance in accordance with the Arizona State Department of Library Archives and Public Records retention schedule, and are incorporated herein by this reference.

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

29. LETTER OF INTEREST TO THE U.S. GENERAL SERVICES ADMINISTRATION FOR ACQUISITION OF SURPLUS FEDERAL GOVERNMENT PROPERTY

Authorize the County Manager to submit a Letter of Interest to the U.S. General Services Administration (GSA) as part of a Public Body Screening process for acquisition of surplus Federal Government Property consisting of a five-acre site at 43rd Place and Broadway Road (APN: 123-02-001-D) in Phoenix, Arizona. The subject real property is a former Department of Agriculture Water Conservation Laboratory facility. GSA offers the subject property "AS IS" and "WHERE IS" without representation, warranty, or guaranty. If acquired, the County intends to utilize the subject GSA property to supplement the Maricopa County University of Arizona Cooperative Extension facility. (C-18-09-011-8-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

30. QUITCLAIM DEED FOR OWNERSHIP OF A COUNTY OWNED PARK TO HOPEVILLE COMMUNITY FOR PROGRESS, INC.

Authorize the Chairman of the Board to execute a Quitclaim Deed, as approved by County Counsel, for the transfer of all County ownership in a park in Hopeville to Hopeville Community for Progress, Inc. The subject parcel is a small 7.8 acre community park located at Palo Verde Road and Yuma Road that was conveyed to Maricopa County August 1, 1985, by the State of Arizona. The park is no longer maintained by the Maricopa County Parks and Recreation Department and has fallen into disrepair. Title to the property will be conveyed for a nominal consideration of \$1.00. This transfer of ownership has been reviewed and endorsed by the Parks and Recreation Department and the Facilities Review Committee. This conveyance to a qualified non-profit organization at less than appraised value requires unanimous consent of the Board. (C-18-09-010-8-00)

Supervisor Wilcox thanked all who worked to find a solution to issues that had developed with the park and remarked that the residents of Hopeville will now have their own community park for family enjoyment.

Motion to Approve on a roll call vote by: Supervisor Wilson, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

31. AMENDMENT TO IGA WITH TOWN OF GILBERT FOR USE OF A COUNTY-OWNED PARCEL OF LAND

Approve a Third Amendment to an Intergovernmental Agreement (IGA) with the Town of Gilbert for use of a county-owned parcel of land known as the "Gilbert Rodeo Grounds" located near Val Vista Drive and Ray Road, in the Town of Gilbert. This Third Amendment provides an additional six-month extension of the term that will expire on February 15, 2009. The Town will pay a nominal fee of \$10.00 for use of the subject site during the six-month extension period. The Facility Review Committee endorses the proposed Third Amendment. (C-18-08-003-2-02)

Supervisor Stapley thanked the Gilbert city officials for agreeing to the long-discussed action that brought this amendment for an extension of time to completion.

Motion to Approve on a roll call vote by: Supervisor Stapley, Seconded by: Supervisor Wilcox

Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

Materials Management

32. SOLICITATION SERIALS

Approve the following solicitation serial items. The action on the following items is subject to Civil Division's review and approval of the respective contracts and subsequent execution of contracts.

a. RECOMMENDATION FOR RENEWAL: 05019-C, ASPHALT, EMULSIFIED & OIL & PETROLEUM RESIN

Approve the renewal/extension of the following contract: (These are recommended with the concurrence of the using agencies and the vendors, upon satisfactory contract performance and, when appropriate, after a market survey is performed).

05019-C: Asphalt, Emulsified & Oil & Petroleum Resin (\$2,000,000 estimate/one year) for maintenance of County roadways. To Cover Period Ending May 31, 2009. **Paramount Petroleum Corporation Wright Asphalt Products Company** (C-73-09-010-3-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Brock

Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

b. RECOMMENDATION FOR INCREASE: 03264-S PROPERTY TAX AND VALUATION STATEMENTS PRINTING AND MAILING

Approve an increase in the price agreement value from \$816,000 to \$1,566,000. This \$750,000 increase is required to cover services required by the Assessor's and Treasurer's Offices through fiscal year 2009. This agreement was initially awarded by the Board of Supervisors on April 21, 2004 and subsequently renewed on February 21, 2007. Expiration date is April 30, 2010.

Previous Award: \$816,000 estimate/three years value of increase: \$750,000 Total Value: \$1,566,000. **Co-Operative Computer Services Inc.** (C-73-09-012-3-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Brock

Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

Risk Management

33. AGREEMENT WITH MARICOPA COUNTY COMMUNITY COLLEGE DISTRICT FOR EDUCATIONAL SERVICES

Approve agreement between Maricopa County a political subdivision of the State of Arizona, on behalf of its Risk Management Department, Occupational Safety Division, and the Maricopa County Community College District, on behalf of Gate Way Community College, a political subdivision of the State of Arizona, for the provision of certain educational services. Terms of this agreement are from date of last signature until June 30, 2013. (C-75-09-004-3-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

ASSISTANT COUNTY MANAGER - REGIONAL DEVELOPMENT SERVICES

Air Quality Department

34. AMENDMENT TO IGA WITH REGIONAL PUBLIC TRANSPORTATION AUTHORITY

Approve Amendment No. 3 to an Intergovernmental Agreement between Regional Public Transportation Authority (RPTA) and Maricopa County through the Air Quality Department in the not-to-exceed amount of \$400,000. The purpose of this amendment is to continue implementation of the Trip Reduction Program (TRP). This program is part of the State of Arizona Implementation Plan to improve air quality in Maricopa County and helps prevent federal government delays with issuance of highway funds to the State of Arizona. This amendment is effective from July 1, 2008 to June 30, 2009. All other terms and conditions of the Intergovernmental Agreement remain in full force and effect. This item was continued from the July 23, 2008 meeting. (C-85-07-003-1-03)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

Environmental Services

35. JOINT RESOLUTION AMENDING THE ONE STOP SHOP PROGRAM

Approve an amended joint resolution between the Board of Supervisors and the Flood Control District of Maricopa County regarding the Maricopa County One Stop Shop Program. The amended resolution updates authorities, includes additional departments and programs and restates the mission and responsibilities related to the One Stop Shop Program. The original joint resolution was adopted by both Boards on April 21, 1999 under C#3299028.

The revised mission of the Maricopa County One Stop Shop Program shall be to coordinate and integrate the application and review process from previous enumerated clearances, permits or approvals from Maricopa County Planning and Development Department, Maricopa County Department of Transportation, Maricopa County Assessor's Office, Maricopa County Environmental Services Department, Maricopa County Air Quality Department and the Flood Control District of Maricopa County so as to minimize duplication of effort and cost on the part of applicants, and likewise promote the efficiency of the review

process. The Maricopa County Board of Supervisors and the Board of Directors of the Flood Control District of Maricopa County may from time to time designate additional agencies, departments, and districts to participate in the One-Stop Shop Program. Specifically, information is to be shared to the extent practicable among the various agencies, departments, and districts. Planning and Development Department, as lead agency shall have overall authority to coordinate, facilitate and provide oversight to the Maricopa County One Stop Shop Program. Specifically, the Director of the Planning and Development Department, or his/her designee shall have the responsibility to grant final approval for issuance of a Final Permit Clearance. A corresponding agenda item is found under the Flood Control District Agenda under item C-69-09-003-00. (Supervisory Districts 1, 2, 3, 4, and 5) (C-88-08-012-2-00)

Chairman Kunasek moved this item to the August 20, 2008, meeting at the request of Clerk of the Board Fran McCarroll who said a delay was caused by a tracking difficulty with a related agenda item.

Planning and Development

36. THE PRESERVE AT GOLDFIELD RANCH DEVELOPMENT AGREEMENT

Approve a Resolution of Adoption of The Preserve at Goldfield Ranch Development Agreement with Goldfield Preserve Development LLC and Maricopa County as required by stipulation 'd' of the Development Master Plan case (DMP 2006018) for The Preserve at Goldfield Ranch previously approved on December 19, 2007. As a condition of the DMP approval, the applicant is required to enter into a development agreement with Maricopa County to address potential short - and long-term fiscal impacts to Maricopa County. This agreement must be approved by the Board of Supervisors prior to approval of any zone change associated with the DMP. The term of this agreement shall be ten years from Board of Supervisors approval of this development agreement. This development agreement to be recorded as required pursuant to ARS 11-1101. (Supervisory District 2) (C-44-09-007-3-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

ASSISTANT COUNTY MANAGER - PUBLIC WORKS

Facilities Management

37. CONTRACT WITH LAYTON INTERIOR SPECIALISTS OF ARIZONA FOR GMP#2-CENTRAL COURT 2ND FLOOR & BASEMENT REMODEL

Approve and authorize the execution of Construction Manager at Risk (CMR) Contract No. FMD-09-006 for GMP #2 (final GMP) with Layton Interior Specialists of Arizona, located in Phoenix, Arizona, in an amount not-to-exceed \$5,650,000 to provide construction phase services for the remodel of the basement floor of Central Court Building (3305) (Project No. 3305-07-407) located at the Maricopa County Downtown Campus, Phoenix, Arizona.

On January 2, 2007, the Board of Supervisors approved the Capital Improvement Program which included a project entitled "Central Court Second Floor and Basement Remodel" (Item No. C-70-07-026-8-00). This project is consistent with the Superior Court Master Plan recommendations. The total approved budget for this project is \$9,594,000. The contract with Layton Interior Specialists of Arizona will allow for the remodel of the basement of the

Central Court Building in accordance with the approved design and is expected to be completed by the end of March, 2009. This project has been recommended by the Facilities Review Committee and is located in District 5. (C-70-09-007-5-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

38. JOB ORDER CONTRACT WITH CALIENTE CONSTRUCTION, INC.

Approve a contract between Caliente Construction, Inc. and Maricopa County through the Facilities Management Department, in the not-to-exceed amount of \$15,000,000. The purpose of this Contract is to provide as needed Job Order Contracting services for Major Maintenance, CIP and Department Funded projects in County facilities. This Contract is effective from July 1, 2008 until June 30, 2013.

Job Order Contracting is authorized by Article 5 of the Procurement Code to enable the county to expediently complete smaller construction projects using pre-qualified contractors with a structured pricing basis. The Facilities Management Department (FMD) will develop the scope of work and approve the contractor's cost proposal based on pre-determined contract terms, prior to the contractor starting work on a specific job order task. The costs will be paid by budgeted funds from Major Maintenance, CIP or Department funds. Caliente Construction, Inc. was selected through a qualifications-based selection conducted in accordance with the Maricopa County Procurement Code and Article 5 Procurement Procedures. This procurement was presented to the Facilities Review Committee and recommended on February 28, 2008. (C-70-09-008-5-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

39. JOB ORDER CONTRACT WITH JOKAKE CONSTRUCTION SERVICES, INC.

Approve a Contract between Jokake Construction Services, Inc. and Maricopa County through the Facilities Management Department, in the not-to-exceed amount of \$15,000,000. The purpose of this Contract is to provide as needed Job Order Contracting services for Major Maintenance, CIP and Department funded projects. This Contract is effective from July 1, 2008 until June 30, 2013.

Job Order Contracting is authorized by Article 5 of the Procurement Code to enable the county to expediently complete smaller construction projects using pre-qualified contractors with a structured pricing basis. The Facilities Management Department (FMD) will develop the scope of work and approve the contractor's cost proposal based on pre-determined contract terms, prior to the contractor starting work on a specific job order task. The costs will be paid by budgeted funds from Major Maintenance, CIP and Department budgets. Jokake Construction Services, Inc. was selected through a qualifications-based selection conducted in accordance with the Maricopa County Procurement Code and Article 5 Procurement Procedures. This procurement was presented to the Facilities Review Committee and recommended on February 28, 2008. (C-70-09-004-3-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

Public Works

40. BIDS AND AWARD FOR ELLSWORTH ROAD: GERMANN ROAD TO BASELINE ROAD, MCDOT PROJECT COUNTY ARTERIALS (ARTS)

Approve the solicitation of bids for Ellsworth Road: Germann Road to Baseline Road, MCDOT Project County Arterials (ARTS), Job No. T068; and approve the award to the lowest responsive bidder, provided that the lowest responsive bid does not exceed the engineer's estimate by ten percent.

The purpose of this project is to stabilize, with decomposed granite, surface soils in a 30 acre area abutting Ellsworth Road from Germann Road to Elliot Road in accordance with the project's ADEQ permit. The area was disturbed during the recent completed roadway widening project on Ellsworth Road. This project is in Supervisorial District 1. (C-91-08-003-5-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

41. AGREEMENT WITH USDA FOREST SERVICE FOR CURVE THREE ON SEVEN SPRINGS ROAD

Approve a Revenue Agreement between USDA Forest Service (08-RO-11031200-022) and Maricopa County through the Public Works, in an amount not-to-exceed \$60,000. The purpose of this Revenue Agreement is to allow the USDA Forest Service to reimburse Maricopa County Department of Transportation for the repair work to be performed on Curve Three on Seven Springs Road in an amount not-to-exceed \$60,000. This Revenue Agreement is effective from August 6, 2008 until June 30, 2009.

Curve Three will have a wall extension constructed so that the clear zone is increased to meet AASHTO Standards. The fill embankment along Seven Springs Wash will have gabion baskets installed to prevent the fill from washing out. Supervisorial District 3. (C-91-09-012-3-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

42. GRANT APPLICATION FOR REHABILITATION OF THE OLD US-80 GILA RIVER BRIDGE, AKA GILLESPIE DAM BRIDGE

Authorization to submit a grant application in the amount of \$500,000 to the Arizona Department of Transportation (ADOT) for SAFETEA-LU Enhancement Program Round XVI funds for Phase 1 of the Historic Bridge Rehabilitation of the Old US-80 Gila River Bridge, aka Gillespie Dam Bridge (TT188). If the grant award is made, authorize to accept the funds and approve the revenue and expenditure appropriation increase in the amount of \$500,000 in FY 2009 to the MCDOT Grant Fund (223). Grant Revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget containing the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. 42-17105.

The Old US-80 Gila River Bridge, aka Gillespie Dam Bridge (Bridge) is the second most historic of Arizona's bridges, serves area agricultural users and residents, and is an important alternate to SR85. The Bridge is in need of repairs to maintain its structural integrity and provide the foundation for historic restoration efforts. In Phase One,

repairs/rehabilitation will be made to allow the superstructure to function as designed and to address areas where the Gillespie Dam Bridge does not meet current AASHTO guidelines. In addition to repairing the truss bearings, MCDOT will heat straighten bent or damaged members, repair deck joints, add welded studs to stringers and floor beams and replace the concrete bridge deck. MCDOT will install guard rail at the four corners, protective beams to prevent damage due to the low 13'-6" clearance, modify the concrete wing walls and provide new bridge barrier rail. Scour protection for several of the piers, repaving roadway approaches and installing historic markers round out Phase One of Gillespie Dam Bridge restoration efforts. This project was ranked #1 by the MAG Enhancement Peer Review Group on June 24, 2008. Final project applications will be evaluated by the ADOT Transportation Enhancement Review Committee (TERC) in October 2008. The ADOT TERC funding recommendations will then be forwarded to the ADOT State Transportation Board for their approval. The total project construction costs are \$9,123,250. The grant application for \$500,000 for construction requires a 5.7% local match of \$30,233. The County will be providing an overmatch of \$8,593,017. John B. Hauskins, P.E., Transportation Director, is appointed agent for Maricopa County, to conduct all negotiations and to execute and submit all documents and any other necessary or desirable instruments in connection with such funding. MCDOT's unrecoverable indirect cost rate is \$15.8%. Supervisorial District 5. (C-64-08-228-3-01)

Jeanette Fish, Farm Bureau, voiced concerns regarding the period of time when the rehabilitation construction on this historic bridge is underway. She said the bridge is used daily by those in the agricultural community living on the west side of the river and she hoped that a river passage will be provided for residents during the renovation.

Supervisor Wilson suggested that there are alternate routes for the residents, such as use of the freeway. He added that he had monitored traffic on the bridge for three hours one day and it had been minimal, however, he added that he would support this item.

John Hauskins, MCDOT Director, reported on the application for a federal grant designed for the restoration of historic bridges in the country. He said they are still investigating the best and most economical way to restore the bridge and an important part of this study includes the maintenance and protection of traffic. He added that they are required to work with the Army Corps of Engineers to mitigate environmental concerns in constructing any temporary crossing of the river. He said he would keep the Farm Bureau informed of planned activity on the project.

Supervisor Wilcox said the County has been trying to find revenue to restore this piece of Arizona history for some time and congratulated Mr. Hauskins on being able to accomplish this feat.

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

BOARD OF SUPERVISORS

Clerk of the Board

43. REAPPOINTMENT TO THE AIR POLLUTION HEARING BOARD

Approve the reappointment of John Rutledge to the Air Pollution Hearing Board as nominated by Supervisorial District 1. The term of the appointment will be effective August 24, 2008 through August 23, 2011. (C-06-09-028-9-00)

Supervisor Brock thanked Mr. Rutledge for his willingness to continue his work on the Air Pollution Board and said he has devoted years in serving the populace in many different ways.

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

SETTING OF HEARINGS

~All hearings will be held at 9:00 am, 205 W. Jefferson, Phoenix, unless otherwise noted~

Planning and Development

44. ZONING CASES

Scheduled Planning and Development public hearings on zoning cases and other matters for the August 20, 2008 meeting. (C-44-09-012-M-00)

The Clerk announced that a list of zoning cases is on file in the Clerk of the Board's Office.

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

CONSENT AGENDA

Clerk of the Board

45. ASRS CLAIMS

Authorize payment of claims submitted by the Arizona State Retirement System, on behalf of current or former employees regarding contributions not withheld for purposes of participation in the Arizona State Retirement System. Amounts may be recalculated employer payments to show accrued interest payments. Claims are on file in the Clerk of the Board's Office. (C-06-09-030-7-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

46. COMPROMISES

Accept the requested compromises in various bond forfeiture matters, waivers of medical liens and other matters. This item was discussed in Executive Session on July 21, 2008. Compromises are on file in the Clerk of the Board's Office. (C-06-09-036-7-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

47. DUPLICATE WARRANTS

Necessary affidavits having been filed, pursuant to A.R.S. §11-632, approval and ratification is requested for duplicate warrants issued to replace county warrants and school warrants which were either lost or stolen. Duplicate Warrants are on file in the Clerk of the Board's Office. (C-06-09-033-7-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

48. MARKET RANGES

Approve the addition and/or replacement of Market Ranges to the authorized comprehensive listing of employee compensation Market Ranges previously approved by the Board of Supervisors. List of additional and/or replacement market ranges are on file in the Clerk of the Board's office. (C-06-09-035-7-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

49. MINUTES

Approve the minutes of the Board of Supervisors meeting held May 19, 2008. (C-06-09-038-7-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

50. REDEMPTION OF WAIVERS FOR INDIVIDUALS AND ORGANIZATIONAL EXEMPTIONS

Pursuant to A.R.S. §42-11153B, approve the redemption of waivers for individuals and organizations requesting exemptions for the 2008 tax year during the period of March 1, 2008 through July 18, 2008. Report is on file in the Clerk of the Board's Office. (C-06-09-029-7-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

51. REGIONAL SCHOOL DISTRICT #509 VOUCHERS/WARRANTS

The Board of Supervisors, pursuant to its authority granted in A.R.S. §15-1001, will consider for approval vouchers presented by the County School Superintendent of Maricopa County to draw warrants on the County Treasurer against Maricopa County Regional School District #509 School District funds for necessary expenses against the school district and obligations incurred for value received in services as shown in the Vouchers. (ADM3814-003) The Board of Supervisors may consider ratifying any Maricopa County Regional School District #509 vouchers and/or warrants approved in accordance with the procedures of A.R.S. §15-321 since the last meeting of the Board of Supervisors. The Vouchers are on file in the Maricopa County's Clerk of the Board's office and are retained in accordance with ASLAPR approved retention schedule. (ADM3814-003) (C-01-09-001-M-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

52. SECURED TAX ROLL CORRECTIONS

Approve requests from the Assessor for corrections of the Secured Tax Rolls Resolutions. This reflects actual tax dollar corrections to the County tax rolls due to administrative corrections of the Assessor and as a result of property tax appeals. Resolutions are on file in the Clerk of the Board's Office. (C-06-09-031-7-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

53. SETTLEMENT OF PROPERTY TAX CASES

Approve the settlement of tax cases dated August 6, 2008. List is on file in the Clerk of the Board's Office. (C-06-09-039-7-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

54. STALE DATED WARRANTS

The Board of Supervisors finds that claims presented, pursuant to A.R.S. §11-644, are legitimate and that claimants have demonstrated good and sufficient reason for failure to present the original check or warrant within the allotted time. Accordingly, the claims are allowed. Stale-dated Warrants are on file in the Clerk of the Board's Office. (C-06-09-034-7-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

55. TAX ABATEMENTS

Approve requests for tax abatements from the Treasurer's Office pursuant to A.R.S. §42-18353. List is on file in the Clerk of the Board's Office. (C-06-09-032-7-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

BOARD OF SUPERVISORS ADDENDUM

Clerk of the Board

A-1. MINUTES

Approve the minutes of the Board of Supervisors meetings held December 5, 2007; January 16, 2008; April 9, 2008; April 23, 2008; and May 7, 2008. (C-06-09-041-7-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

County Attorney

A-2. TP RACING, ET AL, V. MARICOPA COUNTY, CV2007-008631

Authorize Maricopa County's counsel to enter into a stipulation with Plaintiffs to reinstate the case (TP Racing, et al. vs. Maricopa County, CV2007-008631) on the condition that the Plaintiffs dismiss Counts Three and Four of the Complaint with prejudice. This matter was discussed in Executive Session on August 4, 2008. (C-19-09-016-M-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

Management and Budget

A-3. MARICOPA COUNTY REGIONAL SCHOOL DISTRICT VOUCHER AUTHORITY

Pursuant to A.R.S. §15-1001, effective immediately, delegate warrant and voucher approval for the Maricopa County Regional School District to the County School Superintendent. This matter was discussed in Executive Session on August 4, 2008. (C-49-09-016-7-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

Parks and Recreation

A-4. DONATIONS

Accept the annual reports received from Parks and Recreation for FY 2007-08 as on file in the Clerk of the Board's Office. (C-06-09-045-D-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

Risk Management

A-5. SETTLEMENT IN MURILLO V MARICOPA COUNTY

Approve Settlement or Offer of Judgment in the amount of \$150,000 between Maricopa County and Margarita Murillo, Francisco Oviedo, Guadalupe Oviedo, Anastacia Oviedo and Francisco Oviedo, Jr., concerning Maricopa County Superior Court Case No. CV2007-022878, Risk Management claim number GL5000032372, and authorize the Chairman to sign any necessary documents upon review and approval as to form by assigned legal counsel. This matter was discussed with the Board in Executive Session on July 21, 2008. (C-75-09-003-S-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

A-6. SETTLEMENT IN REYNA-CAMPA VS MIHS

Approve Settlement in the amount of \$125,000.00 between MIHS and Plaintiff(s) Reyna-Campa, concerning Maricopa County Superior Court No. CV2004-013813 (Claim No.: MM9002027611) and authorize the Chairman to sign any necessary documents upon review and approval as to form by assigned legal counsel. This matter was discussed with the Board in Executive Session on August 4, 2008. (C-75-09-005-S-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

Transportation

A-7. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS

Approve easements, right-of-way documents, and relocation assistance for highway and public purposes as authorized by road file resolutions or previous Board of Supervisors' action. The list is on file in the Clerk of the Board's Office. (C-06-09-040-7-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

MEETING RECESSED

Chairman Kunasek recessed the Board of Supervisors and convened as the Board of Directors of Various Districts.

MEETING RECONVENED

Chairman Kunasek reconvened the Board of Supervisors.

CALL TO THE PUBLIC AND SUMMARY OF CURRENT EVENTS

56. Public comment on matters pertaining to Maricopa County government. Please limit comments to two to three minutes. Note that pursuant to Arizona Open Meeting Law, Board members may not discuss matters raised under this public comment portion of the meeting; however, an individual Board member may respond to criticism made by those who have addressed the Board, ask staff to review an issue raised or may ask that the matter be placed on a future agenda. (Public comment is at the discretion of the Chairman.)

Pattie Caspary, citizen, spoke of her problem with back taxes and asked if it was possible for her to get a payment plan to help her pay them in installments.

Chairman Kunasek asked her to stay after the meeting to discuss this since he couldn't respond to her question because of the Open Meeting Law. He added that he had done some research on her problem after she contacted his office and believed she would be interested in what he had found out.

Kate Goodhart, citizen, provided additional information related to her June code enforcement hearing before the Board. She stated that the problem had begun in 2006 with erroneous information given to her at the Surprise office of the Planning and Development Department when she submitted her permit application. She said the permit was returned to her with the statement that "no permits were necessary" in her case and later she had received a violation for not having a permit.

She was subsequently informed that the Surprise office should have referred her to the downtown office and also told that the Surprise office had been known to give residents wrong information with regards to permitting matters. She added that in December 2007 Darren Gerard had informed her and her husband to stop worrying because the problem had been corrected but then she had been called to a Code Enforcement Hearing in 2008 where fines were imposed, she felt that she was unjustly accused and later found responsible with fines.

She said misinformation given by the Surprise office had undoubtedly impacted many

citizens living in Supervisor Districts 3, 4 and 5. She asked that the Supervisors "not blindly side with the Planning Department that answers to you but instead to consider your constituents." She asked for her charge to be investigated and a public response given to why the Surprise Office should not be closed under Article 13.06 of the Zoning Ordinance because of the harm done to residents prior to 2007, when a new office manager was installed.

57. Supervisors'/County Manager's summary of current events.

Supervisor Wilcox commented on all the help Deanne Poulis had given to her and her office over the years, saying she had always done an outstanding job for the County. She wished her well on going to her new position, which is outside the County.

Chairman Kunasek added his thanks and best wishes to Deanne as she moves to the next step in her career. He said he and all of the Board Members will miss her.

*****The Board of Supervisors will now consider Code Enforcement Reviews.*****

Please note that these matters are of a quasi-judicial nature and the Board will review the Hearing Officer's decision in each case to determine if sufficient evidence was presented to the Hearing Officer to support the decision or whether a procedural error may have occurred. New evidence is not considered at these hearings.

CODE ENFORCEMENT REVIEW

PZ-1. BRIAN LA PLANTE - V2005-00093

This is the time for the review of the Hearing Officer's Order of Judgment in Zoning Code Violation Case No. V2005-00093, Brian La Plante (Supervisory District 3) (ADM3417-063) (C-06-09-037-M-00)

Darren Gerard reported on Mr. La Plante's documented history of operating a commercial landscape rock business in a residential zone - a violation of the zoning code. The case opened through a citizen complaint in January 2005 and to date no applications for grading or construction permits have been received or issued. An administrative hearing was scheduled for March 18, 2008, and continued to April 22, continued to May 20 and again continued to May 27, 2008, when the respondent was found responsible for the violation after he said he owned and operated the subject business in this restricted zone. The fine issued at that time now totals \$2,130. The per diem fine could be suspended at a scheduled October 7, 2008, sentence review hearing if a Special Use Permit and proper permits are in place and compliance has been verified. Mr. Gerard said this case will be reviewed before the Planning Commission on August 7, 2008, regarding some outstanding issues on a Special Use Permit application. Mr. Gerard showed slides showing a 1999 residence (only) on the site and several showing the property changes today.

Carolyn Desent, attorney for Mr. La Plante, said that none of the photos or factual information given by Mr. Gerard this morning had been introduced as evidence at the hearing. She added that this case has been settled by stipulation with a representative from the County Attorney's Office and this action had been placed on the record. She explained that the settlement was such that as long as the respondent pursued obtaining a Special Use Permit in a timely fashion the fine would never have to be paid. She gave details on the stipulation she had indicated was not part of the judgment, and

asked that the form of the judgment be modified to include the stipulated settlement. She added that a review by the Hearing Officer was set for early October.

Kevin Costello said a Planning Commission meeting scheduled for Thursday, August 7, 2008, would revisit this case and advised that the Board's Code Enforcement Review be continued until after the October 7, 2008, hearing referenced by Ms. Desent. He added that the October review may not be necessary after tomorrow's Commission hearing.

Motion to Continue to the October 15, 2008, meeting by Supervisor Stapley, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

The Board of Supervisors will now consider matters related to Planning and Zoning.

PLANNING AND ZONING AGENDA

REGULAR AGENDA

1. BROADSTONE RANCH - DMP

Case Number	DMP2008001
Supervisory District	4
Applicant	LVA Urban Design Studio, LLC
Location	Generally between Black Mountain Rd. on the north, Grand Ave. on the northeast, Dove Valley Rd. on the south and 251st Ave. on the west (in the Surprise area).
Request	Major Amendment to the Development Master Plan (approx. 2,819 ac.)
Commission Action	No Commission as of the writing of this report. Tentative Commission hearing date is set for 7-24-08.

Staff Recommendation is for approval subject to stipulations "a" through "kk". (C-44-09-009-8-00)

Lynn Favour reported on the background of this Comprehensive Master Plan and said there is no known opposition and the recommendation is for approval with stipulations "a" through "kk."

Motion to concur with the recommendation of the Planning Commission for approval with stipulations "a" through "kk" by: Supervisor Wilson, Seconded by: Supervisor Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

2. ZONE CHANGE - BROADSTONE RANCH

Case Number	Z2007153
Supervisory District	4
Applicant	LVA Urban Design Studio, LLC for ASLD and Ginn, LLC et. al
Location	Generally between Black Mountain Road on the north, Grand Ave. on the northeast, Dove Valley Road on the south and 251st Ave. on the west (in the Surprise area)
Request	Modification of Stipulation to the Zoning (approx. 2,819 ac.) – Broadstone Ranch
Commission Action	Commission as of the writing of this report. Tentative

Commission hearing date is set for 7-24-08.

Staff Recommendation is for approval subject to stipulations "a" through "u". (C-44-09-011-M-00)

Lynn Favour gave background information on this case, saying there was no opposition and the Planning Commission and staff recommend approval with stipulations "a" through "u."

Motion to concur with the recommendation of the Planning Commission for approval with stipulations "a" through "u" by: Supervisor Wilson, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

3. ARROYO NORTE UNIT 4 - FINAL PLAT

Case Number	S2006015
Supervisory District	3
Applicant	Hoskin Ryan Engineering, on behalf of Pulte Homes
Location	East of I-17 and south of Circle Mountain Road (in the Anthem / New River area)Request
Request	Final Plat for a 100-lot, 4-tract, single-family residential subdivision in the R1-7 RUPD zoning district (approx. 39.0 ac.)
Commission Action	N/A

Staff Recommendation is to continue indefinitely. (C-44-09-010-M-00)

Lynn Favour said the applicant has asked for continuance to August 20, 2008, to allow additional time to deal with a drainage issue on this plat.

Motion to Continue to August 20, 2008, by: Supervisor Stapley, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

MEETING ADJOURNED

There being no further business to come before the Board, the meeting was adjourned.

ATTEST:

Andrew Kunasek, Chairman of the Board

Fran McCarroll, Clerk of the Board